IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

Bail Appl..No. 1287 of 2007()

CRIME NO. 285 OF 2005 OF PERAMBRA POLICE STATION

PETITIONER/ACCUSED

ASOKAN VELUTHAPARAMBATH, S/O.KUNHIRAMAN,
"VELUTHAPARAMBATH", CHANGAROTHU AMSOM,
KANNATI DESOM, KOYILANDY TALUK, KOZHIKODE.

BY ADV. SRI.MANJERI SUNDERRAJ
SMT.SUSAN JACOB
SRI.B.PREMNATH (E)

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA, REP. BY
STATION HOUSE OFFICER, PERAMBRA POLICE STATION,
PERAMBRA, KOZHIKODE.

2. THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1287 of 2007

DATED: 28th February 2007

O R D E R

Petitioner who is the accused in Crime No. 285/05 of Perambra Police Station for offences punishable under Sections 406 and 498 A I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. 14/06 J.F.C.M.-I, Perambra, non-bailable warrants of arrest are pending against the petitioner. The petitioner would allege that the matter has been squared up between the de facto complainant.

3. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same date on which it is filed after examining the contention of the petitioner that the matter has been settled between the de

facto complainant. Until such consideration, the non-bailable warrants of arrest, if any, pending against the petitioner shall not be executed..

With the above observation this application is dismissed.

V.RAMKUMAR, JUDGE.

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